

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Establish  
Policies and Cost Recovery Mechanisms for  
Generation Procurement and Renewable  
Resource Development.

Rulemaking 01-10-024

**ADMINISTRATIVE LAW JUDGE'S RULING**

This ruling memorializes the following ruling transmitted electronically to parties on May 28, 2002 by ALJ McKenzie.

“The purpose of this e-mail message is to dispose of that portion of the May 21, 2002 motion of the Independent Energy Producers Association (IEP) and the Western Power Trading Forum (WPTF) that requests a ruling directing Southern California Edison Company (Edison) to prepare and serve a redacted version of Volume II of the testimony that Edison served in this proceeding on May 1, 2002. At pages 4-5 of their motion, IEP and WPTF argue that by failing to serve a redacted version of Volume II of its testimony, Edison has “unquestionably violated” paragraph 5 of the final protective order that was attached to my May 1, 2002 ruling in this docket.

On May 24, 2002, Edison filed a response to the IEP-WPTF motion. At pages 3-5 of its response, Edison argues that it should not be ordered to prepare a redacted version of Volume II of its testimony, because in effect “Volumes I and III comprise SCE’s redacted version of its direct testimony,” and because “any non-confidential information that is contained within Volume II is only necessary to provide a contextual basis for the confidential material in that volume.” (Page 4.) Edison also asserts that “extracting non-confidential information from the confidential material in Volume II

would be a difficult task at best and would risk inadvertent disclosure of confidential material.” (Page 5.)

After discussions with ALJ Walwyn, I have concluded that the IEP-WPTF motion has merit, and that Edison should be directed to serve a redacted version of Volume II on all parties in this proceeding. While it may be burdensome to prepare a redacted version of Volume II, it is clear from the quotes above that Edison does not contend that it would be impossible. Moreover, IEP and WPTF are correct that Edison has been on notice since my April 25, 2002 ruling in this docket that each of the respondent utilities would be expected to prepare redacted versions of documents containing Protected Material, and yet Edison did not attempt to seek any relief from this requirement in connection with Volume II.

Pursuant to this ruling, Edison is directed to serve by e-mail on all parties to this proceeding, no later than 5 p.m. on Thursday, May 30, 2002, a redacted version of Volume II of its May 1, 2002 testimony in this docket. While this will not allow parties who were not served with the unredacted version to address Volume II in their direct testimony, it should enable them to address the relevant portions of Volume II in their rebuttal testimony, which under ALJ Walwyn’s May 15, 2002 ruling is now due on June 5, 2002.”

Dated May 29, 2002, at San Francisco, California.

/s/ CHRISTINE M. WALWYN

Christine M. Walwyn  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling on all parties of record in this proceeding or their attorneys of record.

Dated May 29, 2002, at San Francisco, California.

/s/ ERLINDA PULMANO  
Erlinda Pulmano

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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